1 **HOUSE JOINT RESOLUTION NO. 41**

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3 (By Delegate Kump)

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5 [Introduced February 18, 2011; referred to the Committee on

6 Constitutional Revision then the Judiciary.]

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10 Proposing an amendment to the Constitution of the State of West

11 Virginia, amending sections eighteen and twenty-two, article

12 VI thereof, relating to starting the legislative session on

13 the second Wednesday of March of each year; numbering and

14 designating such proposed amendment; and providing a

15 summarized statement of the purpose of such proposed

16 amendment.

17 *Resolved by the Legislature of West Virginia, two thirds of*

18 *the members elected to each house agreeing thereto:*

19 That the question of ratification or rejection of an amendment

20 to the Constitution of the State of West Virginia be submitted to

21 the voters of the State at the next general election to be held in

22 the year 2012, which proposed amendment is that sections eighteen

23 and twenty-two, article VI thereof be amended, to read as follows:

24 **ARTICLE VI. THE LEGISLATURE.**

1 **§18.   Time and place of assembly of Legislature.**

2   The Legislature shall assemble annually at the seat of

3 government, and not oftener unless convened by the Governor.

4 Regular sessions of the Legislature shall commence on the second

5 Wednesday of ~~January~~ March of each year.   Upon the convening of the

6 Legislature in each odd-numbered year, each house shall proceed to

7 organize by the election of its officers for two-year terms and

8 both houses shall then in joint assembly open and publish the

9 election returns delivered to the Legislature as prescribed by

10 other provisions of this Constitution and by general law.   ~~When all~~

11 ~~of these matters have been completed in the year one thousand nine~~

12 ~~hundred seventy-three and every fourth year thereafter, the~~

13 ~~Legislature shall adjourn until the second Wednesday of February~~

14 ~~following.~~ Notwithstanding the provisions of section fifty-one of

15 this article and any other provisions of this Constitution, on and

16 after the effective date hereof, there shall be submitted by the

17 Governor to the Legislature, on ~~the second Wednesday of February in~~

18 ~~the year one thousand nine hundred seventy-three and every fourth~~

19 ~~year thereafter, and on the second Wednesday of January of all~~

20 ~~other years~~ the second Wednesday of March each year, unless a later

21 time in any year be fixed by the Legislature, a budget for the next

22 ensuing fiscal year and a bill for the proposed appropriations of

23 such budget.

24 **§22.   Length of legislative session.**

1   The regular session of the Legislature ~~held in the year one~~
2 ~~thousand nine hundred seventy-three and every fourth year~~
3 ~~thereafter~~ shall ~~in addition to the meeting days preceding the~~
4 ~~adjournment provided for in section eighteen of this article~~ not
5 exceed sixty calendar days computed from ~~and including the second~~
6 ~~Wednesday of February, and the regular session held in all other~~
7 ~~years shall not exceed sixty calendar days computed from and~~
8 ~~including~~ the second Wednesday of ~~January~~ <u>March of every year.</u> Any
9 regular session may be extended by a concurrent resolution adopted
10 by a two-thirds vote of the members elected to each house
11 determined by yeas and nays and entered on the journals.

12   *Resolved further,* That in accordance with the provisions of
13 article eleven, chapter three of the Code of West Virginia, 1931,
14 as amended, the proposed amendment is hereby numbered "Amendment 1"
15 and designated as the "The March Legislative Session Amendment" and
16 the purpose of the proposed amendment is summarized as follows:
17 "The Legislature will convene for the regular legislative session
18 on the second Wednesday of March of every year."

    NOTE: The purpose of this bill is to move the start of the
regular legislative session to the second Wednesday of March of
every year.

    Strike-throughs indicate language that would be stricken from
the present law, and underscoring indicates new language that would
be added.